

MBA's 97th ANNUAL CONVENTION & EXPO OCTOBER 24-27 ATLANTA

Hot Topics in Secondary Market

2010

VALIDITY OF SALE OF LOANS INTO SECURITIZATION TRUSTS

- Allegations
- State law
- Agency practices

IMPACT OF DODD-FRANK ACT ON SECONDARY MARKET

- Will the secondary market purchase loans that are not qualified mortgages or qualified residential mortgages?
 - ability to repay requirement
 - safeharbor for qualified mortgages
 - consequences of falling outside of safeharbor/assignee liability
 - risk retention requirements
 - safeharbor for qualified residential mortgages
 - other exceptions

IMPACT OF DODD-FRANK ACT ON SECONDARY MARKET (cont.)

- What barriers does Dodd-Frank Act impose of private securitizations?
- Will the Bureau of Consumer Financial Protection provisions on aiding and abetting impair secondary market transactions?
- Will the loan originator compensation rules impact warehouse lines?